

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAWRENCE CONWAY,

Plaintiff,

v.

QUINONEZ,

Defendant.

No. 1:20-cv-00976-NONE-SKO (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

(Doc. No. 13)

Plaintiff Lawrence Conway is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 22, 2020, the assigned magistrate judge filed a screening order, finding that plaintiff's complaint fails to state a claim on which relief can be granted. (Doc. No. 11.) The magistrate judge directed plaintiff to file an amended complaint curing the deficiencies in his pleading within 21 days. (*Id.* at 7.) Plaintiff failed to file an amended complaint or otherwise respond to the screening order.

Therefore, on December 7, 2020, the magistrate judge issued an order to show cause why this action should not be dismissed for plaintiff's failure to comply with a court order. (Doc. No. 12.) The judge cautioned plaintiff that "[f]ailure to comply with this order will result in a recommendation that this action be dismissed for failure to state a claim and to obey a court

1 order.” (*Id.* at 2.) Plaintiff failed to respond to the order to show cause.

2 Accordingly, on January 8, 2021, the magistrate judge issued findings and
3 recommendations, recommending that this action be dismissed for plaintiff’s failure to obey court
4 orders and failure to state a claim on which relief can be granted. (Doc. No. 13.) The findings
5 and recommendations were served on plaintiff and provided him 14 days to file objections
6 thereto. (*Id.* at 2.) Plaintiff has not filed any objections and the time do so has passed.

7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
8 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
9 and recommendations to be supported by the record and proper analysis.

10 Accordingly,

- 11 1. The findings and recommendations issued on January 8, 2021, (Doc. No. 13), are
12 adopted in full;
- 13 2. This action is dismissed for plaintiff’s failure to obey court orders and failure to
14 state a claim; and,
- 15 3. The Clerk of the Court is directed to assign a district judge to this action for
16 purposes of closure and to close this case.

17 IT IS SO ORDERED.

18 Dated: **February 9, 2021**

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21 UNITED STATES DISTRICT JUDGE
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